

THE NATIVE AMERICAN.

For the Native American.

THE NECESSITY OF EXTREME CAUTION IN NATURALIZING ALIENS, PROVED FROM ITS TENDENCY TO EMBROIL OUR GOVERNMENT WITH FOREIGN NATIONS.

MR. EDITOR: Impressed with the importance of a piece of information contained in a late six-column editorial of the *Intelligencer*, touching that part of the Message which refers to the state of our claims on Mexico, I venture to declare, openly and honestly, the conclusions I drew from its perusal. It is as follows: "S. de A. De O. Santangelo. This individual is a naturalized citizen of the United States. He was the Editor of a newspaper at the city of Mexico, called *El Correo Atlantico*, and he and his wife kept a school there for the instruction of young women. Some remarks in his paper having given offence to the Mexican Government, his passport was sent to him in June, 1835, with an order to quit that country within ——— days. He claims \$100,000 as an indemnification for his sudden banishment, and which he declares to have been contrary to the Mexican laws, as well as in violation of his rights as a citizen of the United States."

Without entering, Sir, into the merits of the claim, I propose seriously to inquire to what sad and disorganizing results this loose custom we have adopted of aggregating to our body politic, without sufficient preparatory apprenticeship in political education, all the strangers and adventurers who come to our ports, will inevitably lead us, and to how much inconvenience and danger the consequent necessity of adopting the quarrels of those naturalized foreigners, who, as in the case above cited, shall at any time come in collision with any foreign government with which we are on terms of peace and amity, must expose us.

By making them citizens of this Republic, we actually pledge "eo instante" the public faith to protect them, and consequently, whenever it shall happen that those artificial citizens, through venal or ambitious motives, attempt to interfere with the internal policy of nations friendly to us, and as in result of a failure, they be punished by the laws of the land, our Executive is bound to step in, and demand explanation and satisfaction for the insult offered, or the injury done, to the rights or property of an American citizen.

We have enough in all conscience to attend to, and for which we are responsible, to protect our own native-born countrymen, without thus increasing by our own acts the cares and duties of our Government; since it is a fact too clear to be denied, that every time an alien is naturalized, he acquires ipso facto a right to enjoy all the advantages that are shared among us children of the soil; and among other claims, that of demanding from his adopted country protection or retributive justice, when his rights and person have been violated.

Suppose, by way of illustration, a German Republican, one of those heady and self-willed students of German universities, were to flee to our shore as to a refuge from the offended laws of his own country, and when the accustomed five years had elapsed, or by perjury, &c., he shall have obtained the dignity of an American citizen, and by so doing, have acquired a right to exact countenance and support from our Government. Scarcely have the new title and immunities been conferred, when he leaves this country and returns to his own, invested with a new character, and under the protection of an American passport. He forthwith, as did Sant Angelo at Mexico, establishes a Revolutionary Press, by means of which seditious articles are sent among the people, to excite them to revolt. The Government seize his Journal, confiscate his property, cast him into prison, and arraign him before the appointed tribunal, on the plea of High Treason.

I should like to know what would our Executive do under such circumstances? Would the President send a belligerent indictment of the German Potentate to Congress, as in the Mexican affair? Would our Minister or Agent, at his Court, be instructed to demand the traitor, because a few months previous he had been admitted to citizenship under our laws? And does any one imagine, for a moment, that the prisoner would be liberated on the demand? Would, in fine, the imprisonment, fine, exile, or death, of the offender, be deemed matter sufficiently important to justify an appeal to the "ultima ratio regum"—to the arbitrament of the sword?

Why, could we expect any thing but the punishment of the man as a traitor, when we all must know that in Europe the maxim "nemo potest exuere patriam" is asserted, and consequently that the mere acquisition, by Europeans, of the rights of citizenship in the United States, does not at all exempt them from the penalties or disabilities of treason whenever they dare to interfere with the established laws and institutions of their native land? Will they not, I ask, holding this maxim to be orthodox, resist "vi et armis" every attempt on our part to weaken the opinion that allegiance is perpetual and universal, not temporary and local?

We will then be placed in an unenviable position—we will be obliged to espouse the quarrels of those who come to us for the purpose of renewing with new vigor and security, the seditious schemes interrupted by their exile, being bound in justice and equity to treat them as Natives when once we have hailed them as fellow citizens.

This illustration is made practical in the case which is the text of my discourse. The facts, Sir, are these: The President has come before Congress in his Annual Message, and among various important matters and suggestions, has told it, that our claims upon the Government of Mexico remain unsettled, and that at its hands are to be metted forth "the time, the manner, and the measure of the redress."

Sir, I wish to disclaim party language in any one of my communications, but candidly cannot refrain from agreeing with the able Editors of the *Intelligencer*, and asserting with them, that the tone of that suggestion is warlike in the extreme. Among the various claims annexed to the Message, as evidence in the Count against Mexico, I find that of Sant Angelo, and it is but charitable to suppose that Mr. Forsyth was not aware of the injustice of the claim, and the consequences which must ensue on its recognition. Here, then, we have the case of an alien, naturalized by our laws, passing forth into the confines of a nation with whom we are at peace, for the purpose of undermining their Government. True, it is, that he acquired a great dignity and immunities, but did he not know what risks he would incur, and penalties would result from a failure? and is it just and decent for our Executive to trump up such weak and rotten claims, with the design of exciting a quarrel between us and Mexico? It is to

be hoped by all, friends or foes, of the present administration, that a more equitable spirit presides over the acts of those in whose care the people have thought proper to entrust their destinies; and that the eyes of the public will be opened before it be too late, on the vast responsibility we assume, and danger we encounter, every time we naturalize an alien.

If every foreigner who came to us for citizenship were to tender us on application strong and unexceptionable testimonials of good character from those among whom he was born and educated—if he brought to us, as open letters of introduction, education, gentlemanly manners and opinions, and money sufficient to keep him from becoming a burden on the public—if, in fine, he could convince us that his views were disinterested for leaving his own country, or that he has been exiled from his home by oppression, and not by the violated laws of the land—then, indeed, the alien might be an acquisition, and not a curse, upon us and our children.

But when an alien offers himself for admission, with no testimonial of previous good behaviour—bearing upon his own person the clearest proofs of moral and physical degradation—a stranger to the feelings and habits of a gentleman and an honest man—poor and needy, and consequently ready to adopt any political creed, provided he be well paid for his trouble, and prepared to do any dirty work to prevent want and starvation, or to beg and rob when all expedients have failed—under such circumstances, I say, it is both mad and criminal to adopt such degraded wretches, and make ourselves responsible for their subsequent misdeeds.

We cannot expect from the latter any thing that is good or useful—which will be creditable to us on the score of judgment and discrimination—they will be whilst amongst us the fruitful sources of moral and political corruption and contagion; and as they were rotten members of the body politic at home, so will they continue when transplanted to our soil "cælum non animum mutant qui transmare eunt."

From the former, indeed, we may expect something that is good and useful, and creditable to our judgment and discrimination; but at the same time it cannot be denied that a responsibility is assumed by our Government in the act of their adoption, and that more or less danger is incurred. For the very same reason that we require letters of introduction, or previous acquaintance, before we admit a stranger to enter our families, and are cautious in proportion to the responsibility we assume, it should be our duty, as it is our interest, to exercise a wise and just discrimination as to those aliens who apply for admission as fellow citizens to the great political family in the States.

We will be constantly exposed to the inconvenient necessity of pressing claims upon friendly governments, when perhaps the claimants are born subjects of those governments, and meet their losses actually in contending against their own country in favor of the one they had found it their interest to adopt. We will be constantly exposed to the mortification and loss resulting from a misplaced confidence, if the practice now in vogue of preferring foreigners to natives—of receiving aliens without certificates of good character and sufficient preparatory ordeal, to an equal share with ourselves in our political rights and immunities, be not discontinued. We will discover, if we do not now put our shoulders to the wheel, and when it is too late to reform or correct, that our own blindness, infatuation and indifference, have been the causes of our ruin, and have brought with them their own peculiar punishment.

As a finale of this argument, I flatter myself, Reader, that you will be equally impressed with myself of the evils growing out of the present provisions of the law, on Naturalization, and particularly with the truth and justice of the facts and deductions I have adduced on the position—that every time an alien is made a citizen of our country, our Government becomes responsible for his acts, and is exposed to the danger of being embroiled with friendly nations to aid and support a felon or a traitor.

BOSTON.

For the Native American.

THE PATENT OFFICE.

I do not wish to gratify personal dislike against the incumbents in this office, because, really, I have none; nor yet to single them out as individual objects for public animadversion, because, for aught I know, they may not individually deserve it; but I call the attention of our countrymen and of the Government, to the number of foreigners in this Department, for the purpose of effecting such a change as will give the people that confidence in its administration, which is necessary as well for public security, as to satisfy public opinion.

We all know that our confiding countrymen look upon this Department as established to protect their inventive genius at home, while it furnishes the proofs that may enable them to extend their claims to other countries, and carry the reputation of American artists to compete with the boasted talent of older nations, in their own capitals.

The creation of this Department, therefore, involved more than the legalising a mere depot for the embodied conceits of fanciful constructors or speculative artisans—it was to encourage the studies of the Native Mechanic—hold out to the emulative mind the reward of public approbation and profit—and by garnering up the memorials of their labors, give to the discoveries of the American, "a local habitation and a name." It is, therefore, a Department established from a sense of justice to the citizen—a pride of character in the country, and that nice and necessary jealousy of a Native to rival all competitors in the great race of general improvement. As security is absolutely necessary for the rights of the inventor, as well as for the reputation of the country, the confidence in that security should be established by appointing those only who have a natural stake in all that concerns the nation, and are, therefore, bound to be true by the strongest ties. Notwithstanding this, however, there are in the small number of clerks and attendants in this Office, at least six or seven English, Irish, and other outlandish men; and this, too, in a department where much of its value consists in keeping the inventions of our own people from being pirated by, or surreptitiously communicated to, the subjects of other powers.

I do not say that any one of those men have ever yet betrayed the rights of patentees, because I know nothing of those individuals, and less of the interior operations of the Office; and in charity I would not predict that they ever will betray them; but the surest way to guard against possible contingencies, is to remove the materials and agents that naturally tend to their happening.

The inventor at a distance has never imagined that when he applies for a patent, the labors of his mind are to be submitted to an examining com-

mittee, exclusively of foreigners, whose prejudices may or may not be used according as the discovery does or does not conflict with the reputation of their respective country or countrymen. He thinks, good, easy man, that he is transmitting his plans and models to a depot of his own people—to men of kindred feelings, who have an equal interest with himself in advancing the reputation of the country; but after he hears that a band of foreigners have to supervise his rights, he mentally exclaims, have we no natives that can do this service to a fellow countryman! Alas! it seems not. Political influence, or a disregard as to the objects of the Office, give all confidence to strangers, while the native looks on in wonder that such things are; and there are none to redress them. Independent of the objection to foreigners in this Department on the score of national pride, there is one of an individual character of great force; and that is, that the maintenance of this branch of the government is drawn wholly from private contributions, from the tax laid upon the genius of our own people, and therefore what they pay for, apart from the means of the nation, ought not to be applied to the support of aliens or people of other countries, whose sympathies and interests are at variance with our own, and, at any rate, against whom, as compared with our own countrymen, there is, to say the least, a prejudice.

The public are not aware that the amount of money paid daily for patents, is very near, if not fully, three hundred dollars; while the annual expenses, I presume, do not exceed sixty thousand dollars; so that there is a clear yearly gain to the government of about fifty thousand dollars.

This part of the administration is, therefore, sustained by money drawn from the studies of private citizens, and the government in superintending its concerns ought not to outrage the rights of Native Americans, nor yet wound the public sentiment; nor, still further, misapply the funds of its countrymen, nor mortify their pride by employing foreigners, and settling them as pensioners upon the intellect and handicraft of our much abused and injured natives. National strength is the result of a national pride among the citizens, which moves them at all times to do all things for the country; and if you destroy the ties of fellowship which constitute that pride, and transfer the confidence which is the right of the native, to the stranger; if you place that stranger in high places, in posts of honor or profit, and put out, or neglect to put in, your own countrymen, that national pride is broken and dissolved—an apathy comes over the people, who see themselves thus made subordinate, and the nation is left rather to the casualties of fortune, than to the care of her own subjects. The end of this is weakness—a weakness which might be practically illustrated at this moment—for the United States, though a powerful empire, in all the outward attributes of greatness, is, nevertheless, so weak in system, from the control which the opinions of foreigners and naturalized citizens, who make up a great part in the mass of our population, have upon her actions, that she could not successfully contend with any great foreign power in asserting her rights, no matter how just her cause.

The struggle of the nation would be employed and exhausted in political dissension between natives and aliens, as to the "holiness of such a war," and the zeal and efforts of the patriots would be scoffed at and impeded in every form that naturalized hostility could suggest.

These are things of deep consideration, for those who have entered the paths of public life with the honest intention of benefiting the country, and if they will direct their energies to the linking and strengthening their own countrymen in the one common cause of making and maintaining a national character, exclusively among themselves, they will do more for their future greatness than can be achieved by all the schemes of politicians, and all the successes of party.

EXPLORING EXPEDITION.

The following communication and introductory remarks, are from the *Mercantile Advertiser*:

We have received the following communication, to which we give place, without professing to know any thing of the controversy. Without questioning the accomplishments of Mr. Ward, we should suppose that an American might have been found equally well informed, and that one might have been selected from the various applicants, capable of filling the situation with credit and advantage to the country. But the same administration which selects foreigners for our Florida wars and organizes a foreign company within the United States, in a time of profound peace, thus tacitly impugning the courage and patriotism of American citizens, is again found arraigning the talent and information of our citizens by the selection of a foreigner over his competitors. We do not wish to treat the question in an illiberal spirit. The Department were bound to select a talented man, and if they could not find a qualified American, then were they right in selecting Mr. Ward, and not otherwise. Will Mr. Ward meet the issue proposed by our correspondent? And if he shall be found the best qualified, of course the controversy is at an end. We repeat, we have not any personal feeling to gratify, but our columns are open to all, and never shall they be closed against native citizens seeking a redress of real or supposed grievances.

The Exploring Expedition.—The chief of the United States engineer corps, Gen. Gratio, is a foreigner; Mr. Hassler, who has charge of the great geodetic survey of the coast, is a foreigner; and the principal teachers of our navy are all foreigners; and the navy department have conferred the first appointment, in the scientific corps of the exploring expedition, upon a foreigner—just as though the native citizens of this country were unfit for such employment! Mr. Ward, the individual selected in this case, would have no claims to the appointment, if he were even a native. He is but a second rate mathematician and astronomer, and knows little of any thing else; and what the navy department mean by this movement, unless it is to insult the country, I am at a loss to divine.

Our best mathematicians, astronomers, and engineers, are all natives. I need not mention Bowditch, Strong, Olmstead, M'Neil, and a host of others; and this practice of going abroad for such characters, is alike needless and servile, and calculated to discourage native talent. Certainly the natives ought to have an equal chance in cases of this kind with foreigners; or must we submit to be always taught and directed by Europeans?

A challenge is hereby offered to Mr. Ward, to meet native citizens before Mr. Bowditch; and if he will show himself as well qualified—we do not say better than they are for the appointments in question—then no further complaints will be made. If the Secretary of the Navy declines, then certainly he must be considered as showing an undue partiality towards foreigners; and Capt. Jones will be compelled to go with his flag wav-

ing aloft, and proclaiming to the world, that, among his own countrymen, he could get neither mathematician nor astronomer.

A NATIVE CITIZEN.

From the *New York Mercantile Advertiser*.

NATURALIZATION LAWS.

We are pleased at finding the subject of our naturalization laws, awakening that interest to which they are so prominently entitled. We ask the attention of our readers to the following, which cannot fail to find a response in every bosom alive to the evils which the abuse of the law is calculated to bring upon the country; and the warning of the last election, when over two thousand votes were manufactured purposely to bear upon it, should not be lost upon us. No matter what party was most instrumental in bringing up foreigners to the polls to put down the voice of the people, it was an outrageous interference with the purity of our elections, and there can be no doubt that an immense amount of fraud and perjury was perpetrated. It will necessarily be so so long as the laws remain unaltered; and however the charge may be bandied from party to party, it is a disgrace to society, where such things are suffered to exist, rendering the elective franchise a mockery, degrading our national character, and prostrating our republican institutions. It may not be amiss for us here to observe, that the evil effect of our naturalization laws upon our institutions originated the Native American party in this city, and that their constitution and views will be given to the public to-morrow, if we can make room in our columns, when we are assured that they will meet the approbation of our fellow citizens, as eminently calculated to abate an evil which has become so crying as to call for a presentment by the Grand Inquest of the United States in and for the southern district of our State.

The following important document was presented by the Grand Jury to the United States District Court.

The Committee to whom was referred the matter of reporting upon the necessity of presenting the present mode of administering the Naturalization Laws, and framing a bill having reference to that subject,

REPORT:

That, after mature consideration, they deem it necessary that some action should be had in the premises by the Grand Inquest now in session; and to this end, they have framed a bill, which is herewith submitted, and which, if approved, should receive the signatures of the members present, and be put in a channel, best calculated to effect the object intended by it.

CHAS. AUG. DAVIS, Chairman.

GRAND JURY ROOM, N. Y., 27th Dec., 1837.

The Grand Inquest of the United States, in and for the Southern District of New York, in the City of New York, the 27th day of November, 1837.

Present, as a grievance of serious and increasing magnitude, the present mode of administering the Naturalization Laws, which calls upon the competent tribunals for a speedy correction of the evil.

As the law is now administered, it is evident that the great and important rights and privileges of citizenship, can be obtained with a facility not contemplated by the law itself, which is thereby abused to an extent, involving consequences the most deplorable.

The privileges of citizenship in our happy country, constitute the value of the title; and we regard those privileges as sacred to the possessor, as his claim on the nation for their protection is paramount. But if these privileges are to be granted in disregard of the salutary requirements indicated by the spirit of the law, it is evident that the law or its administration must be defective; and if not corrected, the time cannot be far distant, when the title of citizen of the United States will as surely cease to be the pride of its possessor, as the nation will become incapable of protecting it from insult.

In a republic so happily constituted as ours, the people are properly recognized as sovereign—the source and fountain of honor and power. Here, then, most obviously and reasonably, are the people entitled to the right of having laws accurately framed and administered in all matters touching a participation by aliens in this right and privilege of sovereignty.

There can be but slight reliance on the integrity of public servants called on to frame or administer the laws, if their masters who select them to perform these duties be not themselves in the abiding possession of the reliable principles of virtue and patriotism. All laws then, which are intended to keep this fountain pure, cannot be framed with too much care, or administered with too much caution.

This is due to the native born citizen, as well as to the virtuous alien who seeks from choice a home and asylum here; and who, in consequence of the notorious abuses practised under the present naturalization law by the unscrupulous, shares with them the odium which naturally arises in the minds of the native citizens, jealous of their birthright.

One of the most defective portions of the law, and probably the one most fruitful of abuses, is that section of the Act of 14th April, 1802, (see Digest Laws United States, page 315), which gives authority "to any Court of Record, in any individual State, having common law jurisdiction, and a Seal and Clerk or Prothonotary, to be considered as a District Court within the meaning of the Naturalization Act; and every alien, who may have been naturalized in any such Court, shall enjoy the same rights and privileges as if he had been naturalized in a District or Circuit Court of the United States."

Proof, "to the satisfaction of the Court," seems in all cases to be required by the law. But we would ask if the proof, which seems to have been thus 'satisfactory to the court' is satisfactory to the spirit and meaning of the law and the people of the United States for whose benefit and security the laws are enacted—when we state, that it has been in evidence before us of an individual (himself a foreigner, but a naturalized citizen no doubt,) making a business of swearing through the formalities and obtaining papers of naturalization for others at various prices. And in a case which came before us, (but which, for obvious reasons, we refrain from further indicating,) where an alien's identity was sworn to by this obtainer of naturalization papers, as having come amongst us a *minor*—but who, on examination, himself before us, (and through the medium of an interpreter, too,) declared that he was about 45 years of age when he first landed on our shores! So here we had a "citizen," who, by the oath of another, should have been here 30 years, not even yet understanding the language of his adopted country.

As it is presumed that the citizen, be he native or naturalized, has an equal claim to the protection of his Government, "no matter to what portion of the globe his lawful business may carry him"—and as the highest duty of the Government is to protect its citizens, "even if necessary to the calling forth the whole force of the nation," it is obviously but a just precaution that our laws of naturalization should be not only carefully adjusted, but most cautiously administered.

We would not be understood as advising the adoption of a restrictive system that would shut out the Foreigner, who, in the lawful pursuit of happiness, seeks our shores and the protection of our laws. We welcome all such, be they of high or humble origin—rich or poor. Our laws should as scrupulously protect them and the fruits of their industry, as those to "the manor born." But when they ask to become a part and portion of the *Sovereign Power*, we deem it due to all that is most dear to us as a nation, that the qualifications and requirements shall be accurately regarded.

Without enlarging further on a subject so full of importance, we feel it to be our imperative duty to present for the consideration of the Court, that the law of naturalization, as now permitted to be administered, amounts to an evil involving fearful consequences, and which should be corrected.

PROSPER M. WETMORE, Foreman.

M. Van Buren,	Gordon Burnham,
R. W. Martin,	Garrit Storm,
Samuel Dayton,	Chas. Aug. Davis,
Henry Erben,	John Horspool,
W. E. Lawrence,	James Mills,
M. Brewster,	John J. Richey,
James E. Stoneall,	Richard J. Tucker.

From the *Boston Atlas*.

CANADA.

As some details of the causes, which have led to the present difficulties, may not be uninteresting at this time, we will briefly review the position of the contending parties. The great bulk of the people in Lower Canada are of French descent. A very small portion of the people are of British origin. This small proportion of the people, however, have, till lately, engrossed the whole political control of the province. The Legislature of the province is composed of a House of Assembly elected by the people, and a Council or Upper House, appointed by the Crown. This Council is composed entirely, or almost entirely of English descent. Its policies are, and have been, *ultra Tory*. The Council has uniformly opposed all reforms, and all improvements in the colonial laws and administration; and these laws and this administration being founded upon the old French system, stand in great need of improvement in several very important particulars.

The Canadians have therefore gone for *Parliamentary Reform*. They have demanded that the Council, instead of being appointed by the Crown, should be made elective. This reasonable request was peremptorily refused by the British ministry. The House of Assembly having no other means to enforce it, voted to stop the supplies; and the British ministry have sent out orders to their Governor to collect the taxes, notwithstanding they are not voted by the *Provincial Assembly*. It was this very same despotic attempt on the part of the British ministry, that gave rise to the American Revolution.

The population of Lower Canada, at this time, is probably equal to that of Massachusetts. The Lower Canadians have a strong party of friends in Upper Canada, though at this moment the Tories have a small majority in the Colonial Legislature. There can be little doubt that the patriot forces will persevere until they have achieved the independence of the Canadians.

After the battle of St. Charles, there was no mercy shown towards the Canadians; a very large number of them were surrounded in a building at St. Charles, and set on fire; they were thus willfully roasted alive by the British soldiers. The *Montreal Herald* does not tell us of this fact; but, on the contrary, has suppressed the truth at least, if the soldiers who were there are to be believed; many of them, three days after the engagement, told me the above. They also said they did not bury a man of the Canadians, swearing they were tired enough killing them, without taking the trouble to bury them—the pigs eat many of their bodies.—*Montreal Correspondent of the Phila. Inq.*

Melancholy Fate of the Crew and Passengers of the Schooner Trent.—We learn from Captain L. Burgess, of the ship *Eliza Ann*, from Liverpool, that on the 12th of August, sixty miles south of Pennsylvania, while bound from Mobile to Liverpool, he fell in with the wreck of the schr. *Trent*, bound from Mobile to Galveston Bay. She was on her beam ends—her masts were unstepped, and her sails and rigging entirely gone. All the passengers and crew had perished, with the exception of one boy, sixteen years of age, whom the captain took from the wreck. From him, they learned that she was capsized on the 7th August by a squall. The following are the names of those lost, as reported by the boy: Captain Smith and lady; crew, Messrs. Crawford, Wicker, Bowman, and Smith; passengers, Messrs. Samuel Butler, Elliott and King. The boy saved, Peter Damer, has returned with Captain Burgess from Liverpool.—*Mobile Chron.*